

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

STEPHEN BARKER,)	
)	
Plaintiff,)	
)	
v.)	No. 1:21-cv-00652-TWP-TAB
)	
Y MEDIA LABS, LLC,)	
)	
Defendant.)	

ORDER SETTING TELEPHONIC INITIAL PRETRIAL CONFERENCE

This case is assigned for a **telephonic initial pretrial conference** before United States Magistrate Judge Tim A. Baker on **June 1, 2021, at 10 a.m.** (Eastern Time). Parties shall participate in this conference by counsel. **The information needed by counsel of record to participate in this telephonic conference will be provided by separate notification.** The parties themselves may participate at their option. If a proposed Case Management Plan (“CMP”) has not yet been filed, the parties are ordered to confer prior to the initial pretrial conference and prepare a proposed CMP. The CMP shall be in the format set forth in the model CMP’s found on the Court’s website (www.insd.uscourts.gov), shall comply with S.D.Ind.L.R. 16-1(b), and shall address discovery issues as required by Fed. R. Civ. P. 26(f). (Please note that a separate Uniform Patent Case Management Plan is to be used for patent cases.) **The parties shall file the proposed CMP no less than three days prior to the pretrial conference. Filing of the plan will not automatically vacate the pretrial conference. The conference will remain set unless specifically vacated by the Court, which is unlikely.**

Counsel who attend the conference must have their appearance on file, and must be familiar with and prepared to discuss the facts and legal issues in the case, as well as the scope of damages. Counsel should expect to be asked specific questions concerning the case, and should

be prepared to set forth all known facts that support any issue, claim, or defense, including any claim for or defense to damages.

Pursuant to S.D.Ind.L.R. 16-1(d), counsel should also be prepared to fully discuss settlement at the initial pretrial conference (as well as any subsequent conference). **Plaintiff's counsel shall appear at the pretrial conference prepared to make a settlement proposal if no proposal has yet been made.** Defendant's counsel shall appear at the pretrial conference prepared to make an offer to any outstanding proposal. If no proposal has been made, Defendant's counsel shall be prepared to discuss the general parameters of relief responsive to any proposal made at the pretrial conference.

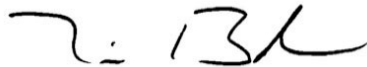
The Court encourages counsel to agree on a numbering system for exhibits in discovery that will assign a unique number to each exhibit, so that the same exhibit number can be used at all depositions and at trial. If the parties anticipate seeking a protective order to protect the confidentiality of trade secrets or other confidential information, they shall carefully review the Seventh Circuit's decisions in Baxter International v. Abbott Laboratories, 297 F.3d 544 (7th Cir. 2002), Union Oil Company of California v. Leavell, 220 F.3d 562 (7th Cir. 2000), Citizens First National Bank of Princeton v. Cincinnati Insurance Co., 178 F.3d 943 (7th Cir. 1999), and related cases. Additional guidance about protective orders and filing documents under seal, including sample orders that have been approved and rejected, is available at the Court's website (www.insd.uscourts.gov). Failure to conform any proposed protective order to the limitations and requirements of these decisions may result in the Court denying the proposed order.

Pursuant to Local Rule 5-2(a), all documents filed in this matter shall be filed electronically, unless expressly exempted by local rule or an Order of the Court. (Pro se litigants may not file documents electronically.) Accordingly, counsel shall register with the Clerk's

office for electronic filing. Counsel need only register one time in the Southern District; it is not necessary to register in every case in which counsel is involved. Information on electronic filing can be found by visiting the Court's website and going to E-Filing Resources. For assistance or training in the use of electronic filing, please contact the Clerk's Office at (317) 229-3700.

Electronic filing allows public access to case information. For this reason, parties must refrain from including personal identifying information such as social security numbers, names of minor children, dates of birth, and financial account numbers. Any such information that cannot be eliminated from a filing must be redacted. Please refer to Fed. R. Civ. P. 5.2 for more information.

Date: 5/5/2021

A handwritten signature in black ink, appearing to read 'T. Baker', is positioned above a horizontal line.

Tim A. Baker
United States Magistrate Judge
Southern District of Indiana

All ECF-registered counsel of record via email.